

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,)	Case No. 1:22-cv-00117-JLT-EPG
)	
Plaintiff,)	STIPULATION FOR DISMISSAL AND
)	ORDER
vs.)	
)	
SAVE MART SUPERMARKETS dba MAXX)	(ECF No. 27)
VALUE FOODS #250; KIMBERLY A)	
SORANNO,)	
)	
Defendants.)	
)	
)	
)	
)	
)	

IT IS HEREBY STIPULATED by and between Plaintiff Darren Gilbert (“Plaintiff”) and Defendant, Kimberly A Soranno (collectively “Defendant,” and together with Plaintiff, “the Parties”), by and through their respective counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(2), this action be dismissed with prejudice.

IT IS FURTHER STIPULATED by the Parties that the Court shall expressly retain jurisdiction over this matter for the limited purpose of adjudicating any subsequent motion Plaintiff may bring to recover his attorneys’ fees (“Fees Motion”). Any Fees Motion shall be filed within 60 days of the date the Court issues its Order on this stipulation.

IT IS SO STIPULATED.

1 Dated: June 29, 2023

MOORE LAW FIRM, P.C.

2
3 /s/ Tanya E. Moore

4 Tanya E. Moore
Attorney for Plaintiff,
5 Darren Gilbert

6 Dated: June 29, 2023

FREEMAN FIRM, A Professional Law
7 Corporation

8 /s/ Arnold J. Wolf

9 Arnold J. Wolf
Attorneys for Defendant,
10 Kimberly A. Sorrano

11 **ATTESTATION**

12
13 Concurrence in the filing of this document has been obtained from each of the individual(s)
14 whose electronic signature is attributed above.

15 /s/ Tanya E. Moore

16 Tanya E. Moore
Attorney for Plaintiff,
17 Darren Gilbert

ORDER

Based on the parties' stipulation (ECF No. 27), IT IS ORDERED as follows:

1. In light of the parties' stipulation, this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(ii), and has been dismissed with prejudice.
2. However, because Plaintiff may file a motion for attorney fees, the Clerk of Court shall not close the case at this time.
3. By consent of the parties, the Court retains jurisdiction in this matter for the limited purpose of adjudicating any motion by Plaintiff to recover his attorneys' fees.
4. Plaintiff shall file any motion for attorney fees within 60 days of the date of this order.
5. Pursuant to the Court's Standard Procedures, which are available on the Court's website (https://www.caed.uscourts.gov/caednew/assets/File/EPG_Standard%20Procedures%20for%20Website_revised%2012_14_22.pdf), motion and opposition briefs shall not exceed 25 pages and any reply brief shall not exceed 10 pages. **Further, the Court will limit any exhibits to 20 pages per brief.** However, the parties may seek leave to exceed these limitations by filing a motion before the applicable filing deadline that specifically explains why additional pages are needed.
6. If Plaintiff fails to file a motion for attorney fees within 60 days, the Court will direct the Clerk of Court to close this action.

IT IS SO ORDERED.

Dated: **June 30, 2023**

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE